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★ JUN 26 2013 ★

LONG ISLAND OFFICE

June 25, 2013

Via ECF

Hon. Sandra J. Feuerstein  
United States District Court  
Eastern District of New York  
P.O. Box 9014  
Central Islip, New York 11722

Re: Sethi v. County of Nassau, et al.  
CV-11-6380 (SJF) (GRB)

Dear Judge Feuerstein:

This office represents the defendants, County of Nassau, Nassau County Police Department, Police Officer Jeff Biggers (s/h/a "Bigger") and Police Officer Gregory Echevarria (s/h/a "P.O. Eviscerate") (hereinafter collectively referred to as the "County Defendants"), in the above-referenced litigation. This letter is sent to request the Court's guidance with regard to upcoming deadlines.

This Court issued a briefing schedule for the County Defendants' Motion for Summary Judgment (DE 34) as follows<sup>1</sup>:

Motion papers to be served by:	July 1, 2013;
Plaintiff's Opposition to be served by:	August 1, 2013;
Reply to be served and fully-briefed motion to be filed by:	August 13, 2013.

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<sup>1</sup> Trial is tentatively scheduled to commence on September 16, 2013

Subsequent to the issuance of the briefing schedule, on June 16, 2013 attorney Vincent Fontana moved to withdraw as Plaintiff's counsel (DE 36). By Order dated June 19, 2013 (DE 38), the Court issued an Order for Plaintiff to Show Cause in writing by July 19, 2013 as to why attorney Fontana's application should not be granted.

Under the current procedural posture, the Defendants' motion will be served upon Plaintiff's counsel by the July 1 due date. Plaintiff's opposition, however, may be impacted by the ruling on Plaintiff's counsel's motion to withdraw.

In light of opposing counsel's motion, the parties seek the Court's guidance as to whether to proceed under the current briefing schedule (for the motion for summary judgment) or whether said schedule will be amended following disposition of Mr. Fontana's application.

The undersigned has contacted Mr. Fontana for his perspective on this issue. Mr. Fontana has no objection to an extension of the entire briefing schedule. Should the Court be inclined to do so, Mr. Fontana believes that a period of thirty (30) days from July 19 should provide him adequate time to respond (if his application to withdraw is denied) or for his client to respond through new his new attorney or *pro se* (in the event his motion is granted).

Thank you for your time and attention in this matter.

Respectfully submitted,

*Liora M. Ben-Sorek*  
Liora M. Ben-Sorek  
Deputy County Attorney

cc: Vincent R. Fontana, Esq. (Via ECF)

*The motion papers will be served by July 19, 2013, the plaintiff's response will be served by August 23, 2013, and the defendants' reply and the fully briefed motion will be served and filed by September 6, 2013.*

SO ORDERED.

s/ Sandra J. Feuerstein

U.S.D.J.

6/26/13